

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:22-cv-01574-JRS-MPB
)	
UNKNOWN HEIRS, et al.,)	
)	
Defendants.)	

Order on Motion to Dismiss

This is basically a foreclosure action. Will and Nebraska Demombery owned the house at 3431 Orchard Avenue, Indianapolis, IN 46218. In their declining years, they borrowed against their home equity; those loans, now delinquent, ended up in the government's hands. Both the Demomberys have passed away. The government wants to foreclose on the house and to recover the mortgage balance in rem against the estate.

Cheryl Logan is so far the only relation of the Demomberys to come forward. Logan explains that her great aunt and uncle had no children. Logan, who helped to care for her aunt Nebraska before her passing, believes that she had no assets except the house.

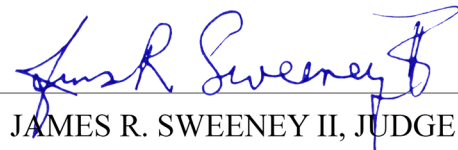
Logan brings a Motion to Dismiss, (ECF No. 8), in which she seeks to be excused from the case. While she may not be dismissed, she may be reassured: the government asserts no claims against her personally; she will not be held responsible for the Demombery's mortgage. The government wants only the house and, to the

extent there is an estate, first claim against the estate.¹ Since Logan seems to disclaim any interest in the house or the estate, this action should cause her neither trouble nor worry.

Logan's Motion to Dismiss, (ECF No. 8), is **denied**.

SO ORDERED.

Date: 11/14/2022



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution by CM/ECF to registered counsel of record.

Distribution by U.S. Mail to:

Cheryl L. Logan
11850 Calloway Drive
Indianapolis, IN 46235

¹ To the extent the government disagrees with this description of its position, this Order shall function as a Rule 12(e) request for more definite statement. Fed. R. Civ. P. 12(e).